

Serial No. 10/067,385
Filed: 5 February 2002

In the Claims:

Please cancel claim 2, 5-10,14-17, 19, 20 and 22 without prejudice. Please add claim 23.

Please amend the claims to read as follows:

1. (Currently Amended) An immunogenic composition comprising an isolated polypeptide, ~~including immunogenic fragments thereof,~~ having an amino acid sequence with at least ~~65%~~ 80% identity to the amino acid sequence of SEQ ID NO: 8 wherein said polypeptide is in a pharmaceutically acceptable carrier and ~~binds to an antibody specific when administered to a mammal elicits an antibody specific for~~ *Streptococcus pneumoniae*.

2. (Cancelled)

3. (Currently Amended) The immunogenic composition of claim 1 wherein the percent identity to the amino acid sequence of SEQ ID NO: 8 said sequence identity is at least 95%.

4. (Currently Amended) ~~The~~ An immunogenic composition ~~of claim 1 wherein said polypeptide has comprising~~ an isolated polypeptide comprising the amino acid sequence of SEQ ID NO: 8.

5. – 10. (Cancelled)

11. (Currently Amended) A vaccine comprising:

- a. ~~one or more *S. pneumoniae* polypeptides selected from the group consisting of polypeptides of claims~~ the immunogenic composition of claim 1, 2, 3, 4 or 23; and
- b. a pharmaceutically acceptable carrier;

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wherein said polypeptide is present in an amount effective to elicit protective antibodies in an animal mammal against an organism of the genus ~~Streptococcus~~ *S. pneumoniae*.

12. (Withdrawn) A method of preventing or attenuating an infection caused by a member of the genus *Streptococcus* in an animal, comprising administering to said animal a polypeptide selected from the group consisting of the polypeptide of claims 1, 2, 3, and 4, and wherein said polypeptide is administered in an amount effective to prevent or attenuate said infection.

13. (Withdrawn) A method of preventing pneumococcal infection by administering to an animal a vaccine according to claim 11

14. – 17. (Cancelled)

18. (Currently Amended) A vaccine comprising an isolated polypeptide, including or immunogenic fragments thereof having the amino acid sequence of SEQ ID NO: 8.

19. – 20. (Cancelled)

21. (Currently Amended) The vaccine of claim 18 wherein said immunogenic fragments comprises one or more of the fragments selected from residues 657—773, 650 - 773, 640 - 773, 630 - 773, 610 - 773, and 600 – 773 of the amino acid sequence of SEQ ID NO: 8.

22. (Cancelled)

23. (New) An Immunogenic composition comprising an isolated polypeptide which is an immunogenic fragment of the amino acid sequence of SEQ ID NO: 8.